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10/780,442

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Jeffrey D. Hensel

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WESTMAN CHAMPLIN (MICROSOFT CORPORATION)

SUITE 1400

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MINNEAPOLIS, MN 55402-3319

EXAMINER

LEWIS, CHERYL RENE A

ART UNIT

PAPER NUMBER

2167

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/780,442

Applicant(s)

HENSEL ET AL.

Examiner

Cheryl Lewis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response the applicants' amendment received on October 27, 2007.
2. Claims 1-24 are presented for examination.
3. The applicants have amended claims 1, 2, 5-7, 12, and 19 in the amendment received on October 27, 2007.
4. Applicants' arguments with respect to claims 1-24 have been fully considered but they are not deemed to be persuasive.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, 12, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 12, and 19 recite "organization structure information"; "an organization structure of business units"; "functions performed"; "data entities that represent the data"; "an organization structure generator; and "link manager".

The above recited limitations are extremely broad and difficult to interpret. What kind of information is descriptive of an organization structure?

What is the organization structure? What are the business units?

How is the organization structure being a representation of business units?

What are the specific functions that are being performed? These functions are based on the attributes of the claimed business units.

What are the data entities? What is the data and/or information that is representative of the data entity?

Further, claims 1 and 19 recite "controlling user access to the data entities based on the links". How is this controlling user access being performed? Is this controlling of the access being performed based on a user id, password, etc.? What happens as a result of the user access to the data entities being controlled? What function does the links perform or produce in an effort to control the user access?

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 1, 12, and 19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As follows:

The examiner acknowledges the amendments to claims 1, 12, and 19. Although, claim 1 has been amended to include "controlling user access to data entities based on the links" and claim 19 has been amended to include "a function to use the tree data to control user access to the business data entities", the independent claims remain non-statutory because of the reasons set forth below in the 101 rejection.

Claims 1, 12, and 19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 1 is a computer implemented method that obtains and generates information representative of business units and data entities; links are generated between data entities to business units in an organization structure; and user access is controlled to the data entities.

Claim 12 is directed to an organization structure that generates the organization structure with a plurality of nodes representing a business unit; and a link manager that link a unit of an organization representing a business node in an organization structure. Claim 19 is directed to a tree structure comprising nodes representing a functional business unit of an organization and configured to include filter links; and the filter links each identify a business data entity that is linked to the business unit. The claimed inventions, as a whole must accomplish a **practical application**. That is, it must produce a **"useful, concrete, and tangible result."** *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02. MPEP 2106. In each of these cases the **result** is obtaining both information related to business units and data entities; linking data entities to business units; and controlling user access to data entities based on the link (claim 1); an organization structure to generate the organization structure with a plurality of nodes and a link manager component to generate a link between a unit of an organization representing a business node in the structure (claim 12); and a tree structure having connected nodes representing a functional business unit to include filter links to identify a business data entity and a tree to control user access to the business data entities (claim 19). The claimed limitations are an abstraction as they are not **useful, concrete,**

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and tangible, they are not put in any tangible form and not useful because they are not presented in a way to provide some result that is of utility that may exist in the specification however no specific use is provided for in the claimed invention. Thus the claims are non-statutory and stand rejected under 101 as not **producing a “useful, concrete, and tangible result.”**

Claim 1 at best is only descriptive of data entities that represent data related to an organization and linking these entities. The user access to the entities are controlled based on the links. Claim 12 is only descriptive of the internal storage components and/or modules that exist within the system. The modules only describe what these components generate and what the components are linked to. Claim 19 is only descriptive of a tree data structure having nodes that link to business units. Likewise, claim 19 recites controlling user access based on the links. Again, claim 19 comprises a filter container. The filter container is described as a business unit, specification page 16, lines 1-3. The claim limitations also comprise filter links. The filter links are described as a link that ties the nodes of a tree, specification page 17, lines 1-6. Both of these claim limitations, a filter container and a filter link, do not produce tangible results.

The claims are non-statutory because they do not produce a useful, concrete, and tangible result. The claims do not manipulate or produce any transformation of data that would produce a useful, concrete, and tangible result.

Response to Arguments

9. On page 7 paragraph 5, page 8, paragraphs 1 and 2, the applicants provide a description of their presently pending application.

a. The applicants' arguments to the cited prior art presented in the office action dated July 25, 2006 begins with the following: "Gervais appears to be nothing more than a prior system discussed in the background portion of the present application... There does not appear to be any teaching, whatsoever, in Gervais of first obtaining or generating an organizational structure that reflects the structure of business units within an organization, and then linking data to that structure."

a1. The examiner respectfully disagrees with the applicants' arguments. The applicants are arguing the claims as presently amended. The presently amended claims have been introduced in the amendment and received on October 27, 2006. The cited prior art, Gervais, teaches the claimed limitations for obtaining and generating. Gervais teaches a user is allowed to link to resources to which he or she has been given access. A resource user has a collection of resource links (102), wherein a resource user is simply allowed to link to resources to which he or she has been given access. Resource users 101₁, 101₂, and 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₂ or both (col. 6, lines 22-27). Gervais' method provides navigation, generation, and obtaining of business units. The Sales and Product Discussion databases are both a type of organizational structure that reflects the structure of business units within Gervais' claimed business environment. Gervais describes the Sales and Product Discussion databases (104₁ and 104₂) as structures having data linked to these structures. The database contains resource link documents. These data structure units contain resource object documents (col. 6, lines

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10-12). The resource manager 103 is the person who has created the resource objects 104. The resource objects are the discussion databases (figure 1, 'Link-Object-Class').

b. Next, on page 8, paragraph 4, page 9, paragraphs 1 and 2, the applicants present an interpretation of the Gervais prior art. The applicants provide a brief description of Gervais' read/write authority within various fields that include user names. Following the applicants' interpretation of the Gervais prior art, the applicants stress that this process (read/write authority) is no more than a prior system that is described in the background description of the applicants' presently pending application.

At this point, it is important to note that it is not the duty of the Examiner to argue the merits of the Gervais invention. Again, the applicants have only presented a summarized version of the Gervais invention and states that this is presented as information as background information in the applicants' Specification. It is the duty of the Examiner to only argue the merits of the prior art (Gervais) when the applicants point out that the cited prior art (Gervais) does not teach a respectively claimed aspect of the applicants' claim limitation(s). As such, the Examiner believes that the applicants have only presented a detailed description of a portion of the Gervais reference and have not presented any arguments to state that Gervais "does not" teach a particular element in any of the claim limitations.

c. The applicants' arguments recite the following: "This is a fundamentally different type of system than that set out in Gervais and overcomes certain disadvantages associated with directly linking users with data.", page 9, paragraph 2

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c1. The examiner respectfully disagrees with the applicants' arguments. The applicants have argued that their method overcomes certain "disadvantages associated with directly linking users with data". However, the applicants have failed to point out in claim 1 what are the improvements to these "disadvantages". The claims do not recite any improvements of directly linking users with data. As noted in the above 35 USC § 112 rejection, the user access is controlled based on the links. The applicants have not provided any information about a control process and information to describe the link in which user access is controlled.

d. The applicants' arguments recite the following: "Gervais is completely silent as to generating an organization structure, as claimed in claim 12, and as to generating links between data entities and the organization structure." page 9, paragraph 3

d1. The examiner respectfully disagrees with the applicants' arguments. The steps of "generating an organization structure and generating links between data entities and the organization structure", has been presented in paragraph a1 in the arguments above.

e. The applicants' arguments recite the following: "Gervais is silent as to teaching such a tree structure. There is simply no indication in Gervais that a tree structure includes connected nodes, each of which represent a functional business unit of an organization. Similarly, there is no notion in Gervais of filter links..." page 10, paragraph 1

e1. The examiner respectfully disagrees with the applicants' arguments. The examiner believes that Gervais teaches a tree structure. According to *Microsoft Press, Computer Dictionary*, a tree is defined as a type of data structure in which each element is attached to one or more elements directly *beneath* it. The connections between elements are called branches. Figures 1 and 7-12 of Gervais' method depict a

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hierarchical configuration of resource links and containers. The depicted hierarchy enables users to inherit access means. A user that can read a parent container will also be able to read a child container or resource link. Figure 7 depicts resource links, wherein element 701 is the Net Top manager managing the group of managers 702a, 704a, etc. The hierarchical configuration claimed by Gervais teaches the data tree structure, in which there is a top most layer and thereafter branches or levels are provided as child nodes from the top most layer. Again, Gervais teaches a filter link. The claim limitation for a filter link has been addressed in the 101 rejection presented above. Since, the applicants' specification defines a filter link as a link that ties the nodes of a tree, then this claim limitation has been addressed in the arguments presented in paragraph a1 above.

f. The applicants' arguments recite the following: "Therefore, not only does the present system link data to the organization structure, but it also links user roles to the organization structure. The access to data is controlled by assigning users of the system a user role...it cannot teach or suggest modifying the tree structure and transferring the links among node in the tree structure based on the modification..." page 10, paragraphs 2 and 3

f1. The examiner respectfully disagrees with the applicants' arguments. Regarding dependent claims 5-7 and 14-16, the limitations of the "system link data to the organization structure" has been addressed in the remarks in paragraph a1 presented above. In addition, claims 9-11 and 17-18, Gervais teaches modification to the tree structure. Gervais teaches a read/write access to the documents. The document can be modified via addition and deletion of data and/or new links (col. 8, lines 21-32).

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Accordingly, the remaining claims comprise dependent claims. As such these claims comprise claim limitations corresponding substantially to the above-discussed remarks.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Gervais et al. (Pat. No. 6,381,579 B1 filed June 17, 1999, hereinafter Gervais).

12. Regarding Claim 1, Gervais teaches a system and method to provide secure navigation to resources on the internet.

The method and associated system for a system and method to provide secure navigation to resources on the internet as taught or suggested by Gervais includes:

obtaining organization structure information indicative of a structure of the organization (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.');

obtaining data entity information indicative of data entities that represent the data related to the organization (col. 9, lines 5-49, 'In

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this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".); generating links (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60), separate from the data entities (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60, col. 13, lines 45-64), linking the data entities to the organization structure (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60); and controlling user access to the data entities based on the links (col. 6, lines 18-27).

13. Regarding Claim 2, Gervais teaches obtaining the organization structure information comprising a hierarchical tree structure having nodes (col. 5, lines 50-67, col. 6, lines 1-67), each node being representative of a unit of the organization (col. 5, lines 50-67, col. 6, lines 1-67).

14. Regarding Claim 3, Gervais teaches each node comprises a link container configured to include one or more links to data entities and wherein generating links comprises providing one or more links to data entities in the link container (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60).

15. Regarding Claim 4, Gervais teaches a plurality of nodes into a node group (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60), each node group comprising a group link container configured to include one or more links to the data entities (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60), and

data entity, a unit of the organization

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wherein generating links comprises providing one or more links to the data entities in the group link container (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60).

16. Regarding Claim 5, Gervais teaches associating user roles with the nodes and group nodes in the hierarchical tree structure (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

17. Regarding Claim 6, Gervais teaches assigning the user to a user role (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

18. Regarding Claim 7, Gervais teaches filtering the user access to data entities linked to nodes that are associated with the user role to which the user is assigned (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

19. Regarding Claim 8, Gervais teaches generating the organization structure information as a tree structure (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60).

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20. Regarding Claim 9, Gervais teaches changing the tree structure (col. 8, lines 21-32); and modifying the links to link the data entities to the changed tree structure (col. 8, lines 21-32).

21. Regarding Claim 10, Gervais teaches automatically transferring links from the affected nodes to other nodes in the tree structure (col. 6, lines 48-57, col. 7, lines 8-26).

22. Regarding Claim 11, Gervais teaches presenting links to the affected nodes for manual modification (col. 6, lines 48-57, col. 7, lines 8-26).

23. Regarding Claim 12, Gervais teaches an organization structure generator component (col. 6, lines 7-17), configured to generate the organization structure with a plurality of nodes, each node representing a unit of the organization figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".); and a link manager component generating a link between a given unit of the organization represented by a given node in the organization structure and an entity representative of data corresponding to the organization (col. 3, lines 40-50, col. 7, lines 15-26 and 39-61).

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24. Regarding Claim 13, Gervais teaches a link container and wherein the link manager is configured to generate the link between the given unit and the entity by placing the link in the link container represented by the given node (col. 3, lines 40-50, col. 5, lines 50-67, col. 6, lines 1-65, col. 7, lines 15-26 and 39-61, col. 8, lines 34-67).

25. Regarding Claim 14, Gervais teaches a user role manager component configured to assign a user role to a user (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

26. Regarding Claim 15, Gervais teaches the user role manager component is configured to link each role to nodes in the organization structure through containers associated with those nodes (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

27. Regarding Claim 16, Gervais teaches a filtering layer configured to filter user access to entities based on the user's user role and the links (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

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28. Regarding Claim 17, Gervais teaches the link manager is configured to automatically modify links in the link containers according to a predetermined process based on changes to the organization structure (col. 8, lines 21-32).

29. Regarding Claim 18, Gervais teaches changes to the organization structure affect nodes and wherein the link manger is configured to display links in the link containers corresponding to the affected nodes for manual modification based on the changes to the organization structure (col. 3, lines 40-50, col. 6, lines 48-57, col. 7, lines 8-26 and 39-61).

30. Regarding Claim 19, the limitations of this claim have been noted in the rejection of claim 1 presented above. In addition, Gervais teaches tree data indicative of a tree structure comprised of connected nodes (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".), each node in the tree structure representing a unit of the organization and configured to include filter links (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales

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Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".), the filter links each identifying a business data entity that is linked to the unit of the organization represented by the node containing the link (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".).

31. Regarding Claim 20, the limitations of this claim has been noted in the rejections of claims 2, 6, and 7 presented above. It is therefore rejected as set forth above.

32. Regarding Claim 21, the limitations of this claim has been noted in the rejections of claims 2, 6, and 7 presented above. It is therefore rejected as set forth above.

33. Regarding Claim 22, the limitations of this claim has been noted in the rejections of claims 5 and 19 presented above. It is therefore rejected as set forth above.

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34. Regarding Claim 23, the limitations of this claim has been noted in the rejections of claims 1, 12, and 19 presented above. It is therefore rejected as set forth above.

35. Regarding Claim 24, the limitations of this claim has been noted in the rejections of claim 19 presented above. It is therefore rejected as set forth above.

36. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

NAME OF CONTACT

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cheryl Lewis
Patent Examiner
January 19, 2007